

Practitioner's Docket No. 49890(48340)

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jon A. Weidanz, et al.

Application No.: 09/874,907

Group No.: 1646

Filed: June 5, 2001

Examiner: Not yet assigned

For: T CELL RECEPTOR FUSIONS AND CONJUGATES AND METHODS OF USE THEREOF

**Box Sequence**

**Assistant Commissioner for Patents**

**Washington, D.C. 20231**

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE**

*(check and complete this item, if applicable)*

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"  
Mailing Label No. \_\_\_\_\_ (**mandatory**)

**TRANSMISSION**

☐ transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_-\_\_\_\_.

Signature

Date: **January 8, 2003**

**Robert L. Buchanan**  
*(type or print name of person certifying)*

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

1. ☒ This replies to the Office Letter DATED 08/08/02.

*NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the application number from the return post card or the attorney's docket number added.*

☒ A copy of the Office Letter is enclosed.

#### IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Robert L. Buchanan  
(type or print name of person signing below)

state the following:

#### ITEMS BEING SUBMITTED

3. Submitted herewith is/are:

(check each item as applicable)

- A. ☒ "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.
- B. ☐ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. Section 1.821(d).
- C. ☒ A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.
- D. ☐ Please transfer to this application, in accordance with 37 C.F.R. Section 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:  
Application No.: 0 /  
Filed:  
For:

Group No.:  
Examiner:

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows:

Computer Readable Form  
(other application)

"Sequence Identifier"  
(this application)

*NOTE: "If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference maybe made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified." 37 C.F.R. Section 1.821(e).*

E. ☒ A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. Section 1.821(g).

☐ Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. Section 1.821(b).

F. ☒ Because this submission is made in fulfilling the requirement under 37 C.F.R. Section 1.821(g), a statement that the submission includes no new matter.

☐ Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. Section 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

*(complete applicable item A and/or B)*

A. ☒ Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.

B. ☒ All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

## STATUS

5. Applicant is

☒ a small entity. A statement:

☐ is attached.

☒ was already filed.

☐ other than a small entity.

## EXTENSION OF TERM

6.

*NOTE: "Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).*

*NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.*

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

*(complete (a) or (b) as applicable)*

(a) ☒ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input checked="" type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$1,450.00	\$ 725.00

Fee \$ 465.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### FEE PAYMENT

8. ☒ Attached is a check in the sum of \$ 465.00.

- ☐ Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

#### FEE DEFICIENCY

9.

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

10. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

#### SIGNATURE(s)

Robert L. Buchanan

(type or print name of person signing statement)



Signature

1/8/03  
Date

Dike, Bronstein, Roberts & Cushman, IP Practice Group of  
EDWARDS & ANGELL, LLP  
P.O. Box 9169, Boston, MA 02209  
P.O. Address of Signatory

(If applicable)

Tel. No.: (617) 439-4444

Fax Nos.: (617) 439-4170 / 7748

Customer No.: 21874



**21874**  
PATENT TRADEMARK OFFICE  
*(complete the following, if applicable)*

- ☐ Inventor
- ☐ Assignee of complete interest
- ☐ Person authorized to sign on behalf of assignee
- ☒ Practitioner of record
- ☐ Filed under Rule 34(a)
- ☒ Registration No. 40,927
- ☐ Other

*(specify identity of person signing)*

\_\_\_\_\_  
*(type name of assignee)*

\_\_\_\_\_  
Address of assignee

\_\_\_\_\_  
Title of person authorized to sign on behalf of assignee

A "STATEMENT UNDER 37 C.F.R. Section 3.73(b)" is attached.

Assignment recorded in PTO on \_\_\_\_\_  
Reel \_\_\_\_\_ Frame \_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE OF PRACTITIONER**

Reg. No.

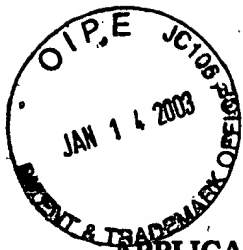
\_\_\_\_\_  
*(type or print name of practitioner)*

Tel. No.: ( )

\_\_\_\_\_  
P.O. Address

Customer No.:

#323334



0350 #10  
Attorney Docket No. 49890 (48340)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS:** Jon A. WEIDANZ, et al.  
**U.S.S.N.:** 09/874,907 **ART UNIT:** 1646  
**FILED:** June 5, 2001 **EXAMINER:** Not Yet Known  
**FOR:** T CELL RECEPTOR FUSIONS AND CONJUGATES AND METHODS OF USE THEREOF

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on January 8, 2003.

By: 

Robert L. Buchanan

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Sir:

The following is in response to the Notice to File Corrected Application Papers mailed August 8, 2002, in the above referenced application.

The Notice requires (1) the Claims commencing on a separate sheet and (2) a copy of the Sequence Listing in computer readable format.

Items (1) and (2) were submitted to the Office on April 11, 2002. That submission was received by the Office as evidenced by the attached postcard copy dated April 24, 2002. Thus it is believed that the Office lost the prior submission that included items (1) and (2) requested by the outstanding Notice.

However to comply fully with the outstanding Notice, the undersigned furnishes herewith a copy of the prior submission of April 11, 2002.

Hugh D. Mason  
USSN: 10/206,419  
Page 2

Applicant believes that no further fees are required with this request; however, if for any reason a fee is required, the Commissioner is hereby authorized to charge any deficiencies to Deposit Account No. **04-1105**.

Respectfully submitted,

Date: January 8, 2003

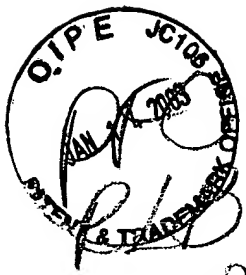
By: 

Robert L. Buchanan (Reg. No. 40,927)  
EDWARDS & ANGELL, LLP  
Dike, Bronstein, Roberts & Cushman  
Intellectual Property Practice Group  
P.O. BOX 9169  
Boston, MA 02209  
(617) 517-5509

Customer No.:

BOS2\_321948.1





49890

(1758)

Mailing Date: April 11, 2002

Client: 71758

Investors: Jon A. Weidanz, et al.

Serial No.: 09/874,907

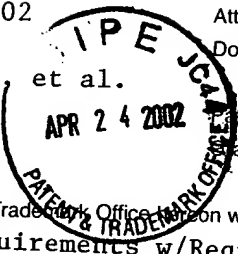
Filing Date: June 5, 2001

Attorney/Sec: PFC/RLB/pb

Docket No.: 49890

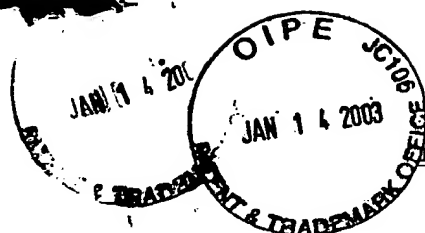
Patent No.:

Grant Date:



The dating stamp of the Patent and Trade Mark Office will be taken as the date of filing of:  
Completion of Filing Requirements w/Request for Ext. of Time  
(four months); Copy of Notice to File Missing Parts dated  
10/11/01; Declaration/POA (4 pages); Preliminary Amendment;  
Submission of "Sequence Listing" Transmittal; Statements in  
Support of Filing; Paper copy of Seq. Listing - paginated 46-47  
and unpaginated; 3 1/2 floppy disk containing Seq. Listing;  
(Check is not enclosed - fees for filing fee, surcharge, and  
ext. of time); Certificate of Mailing.

Due Date: April 11, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 71758/49890

In re patent application of

WEIDANZ, JON A. et al.

Serial No. 09/874,907

Filed: June 5, 2001

For: T CELL RECEPTOR FUSIONS AND CONJUGATES AND METHODS OF USE THEREOF

STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and

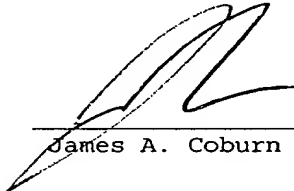
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

Serial No. 09/874,907

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

April 5, 2002  
Date

  
James A. Coburn

HARBOR CONSULTING  
Intellectual Property Services  
1500A Lafayette Road  
Suite 262  
Portsmouth, N.H.  
800-318-3021

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/874,907	06/05/2001	Jon A. Weidanz	71758/49890

Robert L. Buchana  
EDWARDS & ANGELL, LLP  
Dike, Bronstein, Roberts & Cushman  
P.O. Box 9169  
Boston, MA 02209

CONFIRMATION NO. 3602

## FORMALITIES LETTER



\*OC00000008590022\*

Date Mailed: 08/08/2002

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

*efhs*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY